



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Kathleen R. Nosbisch
Executive Director
Board for Professional Soil Scientists and Wetland Professionals

From: Joshua N. Lief
Senior Assistant Attorney General

Date: May 7, 2012

Subject: Letter of Assurance for Proposed Amendments 18 VAC 145-10, *et seq.* that transition Soil Scientists from Certification to Licensure

I have reviewed the Board for Professional Soil Scientists and Wetland Professionals proposed changes to 18 VAC 145-10, *et seq.*, specifically changes to regulations that transition soil scientists from certification to licensure and make various other changes, that were posted on the Virginia Regulatory Town Hall on May 7, 2012. In my view, as counsel to the Board for Professional Soil Scientists and Wetland Professionals, these regulations may be promulgated pursuant to Title 54.1, Chapter 22 of the Code of Virginia with an effective date of July 1, 2013. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.